

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

L'ATHENE, INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 08-114-SLR
)	
EARTHSPRING LLC and)	
GREEK ISLAND LABS LLC,)	
)	
Defendants.)	

**MOTION OF DEFENDANTS EARTHSPRING LLC AND GREEK
ISLAND LABS LLC TO DISMISS OR, IN THE ALTERNATIVE,
TO TRANSFER ACTION TO THE DISTRICT OF ARIZONA**

Defendants EarthSpring LLC ("EarthSpring") and Greek Island Labs LLC ("Greek Island"), by and through their undersigned counsel, respectfully move this Court to dismiss this action pursuant to Fed.R.Civ.P.12(b)(2) and (3) because personal jurisdiction is lacking over EarthSpring and Greek Island and venue in the District of Delaware is improper. In the alternative, EarthSpring and Greek Island move this Court to transfer this action, pursuant to 28 U.S.C. § 1404(a), to the United States District Court for the District of Arizona. In support of their Motion, EarthSpring and Greek Island incorporate herein by reference the attached Memorandum of Law.

Dated: April 4, 2008

/s/ Beth Moskow-Schnoll
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V.

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Defendants.

Civil Action No. 08-114-SLR

PROPOSED ORDER

AND NOW, this ____ day of _____, 2008, upon consideration of Defendants' Motion to Dismiss, or in the alternative, to Transfer to the District of Arizona, and any response thereto, it is hereby ORDERED that Defendants' Motion is GRANTED and this action is DISMISSED.

BY THE COURT

J.

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of April, 2008, true and correct copies of the Motion to Dismiss of Defendants Earthspring LLC and Greek Island Labs LLC, were served on the following counsel via the Court's ECF filing system:

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/s/ Beth Moskow-Schnoll
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